



TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/678,414
		Filing Date	October 2, 2003
		First Named Inventor	Lawrence M. KAUVAR
		Art Unit	1639
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	6	Attorney Docket Number	388512010101

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-1449 (2 pages) Return Receipt Postcard		
<table border="1"><tr><td>Remarks</td><td>Customer No. 25225</td></tr></table>			Remarks	Customer No. 25225
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP Kate H. Murashige - 29,959
Signature	
Date	January 15, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

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(Marian L. Christopher)



PATENT
Docket No. 388512010101

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Marian Christopher
Marian Christopher

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Lawrence M. KAUVAR et al.

Serial No.: 10/678,414

Filing Date: October 2, 2003

For: MULTIHUE LABELS

Examiner: Unassigned

Group Art Unit: 1639

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action directed to the related application Serial Number 09/146,984 filed 3 September 1998, and issued 4 November 2003 as U.S. Patent No. 6,642,062 and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. § 1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

sd-174052

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 388512010101. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 15, 2004 Respectfully submitted,

By: Kate H. Murashige
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Form PTO-1449

Docket Number 388512010101

Application Number 10/678,414

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

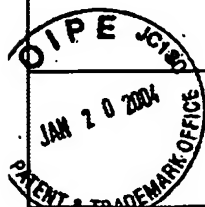
Applicant

Lawrence M. KAUVAR et al.

Filing Date October 2, 2003

Group Art Unit 1639

Mailing Date: January 15, 2004



U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	10/1996	5,565,324	Still et al.	436	518	
	2.	11/1996	5,573,909	Singer et al.	435	6	
	3.	02/1998	5,716,855	Lerner et al.	436	533	
	4.	02/1998	5,721,099	Still et al.	435	6	
	5.	03/1998	5,723,218	Haugland et al.	428	402	
	6.	08/1998	5,789,172	Still et al.	435	6	
	7.	10/1999	5,968,736	Still et al.	435	6	
	8.	11/1999	5,981,180	Chandler et al.	435	6	
	9.	12/1999	6,001,579	Still et al.	435	7.0	
	10.	02/2000	6,023,540	Walt et al.	385	12	
	11.	04/2001	6,210,900	Yamashita et al.	435	7.1	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	12.	01/1994	EP 0 577 092	Europe			
	13.	04/1994	WO 94/08051	PCT			
	14.	10/1995	WO 95 28640	PCT			
	15.	04/1997	WO 97 14028	PCT			
	16.	04/1999	WO 99 19515	PCT			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	17.	Beverloo, H.B., et al., "Preparation and Microscopic Visualization of Multicolor Luminescent Immunophosphors", <i>Cytometry</i> (1992) 13:561-570.

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DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449

Docket Number 388512010101

Application Number 10/678,414

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Applicant

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| 18. | Borchardt, A., "Small molecule-dependent genetic selection in stochastic nanodroplets as a means of detecting protein-ligand interactions on a large scale", <i>Chem and Biol</i> (1997) 4:961-968. |
| 19. | Chen, H., "IVE (Image Visualization Environment): A Software Platform for All Three-Dimensional Microscopy Applications" <i>J Structural Biol</i> (1996) 116:56-6-0. |
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| 29. | Urata, Y., "A Three-Dimensional Structure Dissection of Drosophila Polytene Chromosomes", <i>J Cell Mol</i> (1995) 131:279-295. |
| 30. | Vorgt, R.F., "Model System Evaluating Fluorescein-Labeled Microbeads as Internal Standards to Calibrate Fluorescence Intensity on Flow Cytometers", <i>Cytometry</i> (1989) 10:294-302. |
| 31. | Waggoner, A., "Multiparameter Fluorescence Imaging Microscopy: Reagents and Instruments", <i>Human Pathology</i> (1996) 27:494-502. |
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